

Deposition of Deanne Spencer

SPENCER VS. PETERS

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CLYDE RAY SPENCER; MATTHEW
RAY SPENCER, and KATHRYN E.
TETZ,

Plaintiffs,

vs.

Case No: C11-5425BHS

CERTIFIED COPY

FORMER DEPUTY PROSECUTING
ATTORNEY FOR CLARK COUNTY JAMES
M. PETERS, DETECTIVE SHARON
KRAUSE, SERGEANT MICHAEL DAVIDSON,
CLARK COUNTY PROSECUTOR'S OFFICE,
CLARK COUNTY SHERIFF'S OFFICE,
THE COUNTY OF CLARK and JOHN
DOES ONE THROUGH 10,
Defendants.

VIDEOTAPED DEPOSITION OF

DEANNE SPENCER

Friday, November 16, 2012

EXHIBIT H

Reported by Jennifer F. Milne, CSR No. 10894

1 BE IT REMEMBERED that on November 16, 2012,
2 commencing at the hour of 9:41 a.m., at GOLDEN STATE
3 REPORTING & VIDEO, 3800 Watt Avenue, Suite 201,
4 Sacramento, California, before me, Jennifer Milne, a
5 Certified Shorthand Reporter, empowered to administer
6 oaths and affirmations pursuant to Section 2093(b) of
7 the Code of Civil Procedure, personally appeared

8 DEANNE SPENCER,
9 a witness herein, who, having been duly sworn, was
10 examined and testified as follows:

11 (Exhibit Nos. 1 through 27 was
12 marked for identification.)

13 THE VIDEOGRAPHER: Hello, my name is Sandra
14 Lapointe, notary public, and I'll be videotaping today's
15 proceedings.

16 I'm here on behalf of Golden State Reporting &
17 Video located in Sacramento, California. We are here in
18 the matter of Spencer versus Peters; Case Number
19 C11-5424BHS for the United States District Court Western
20 District of Washington at Tacoma.

21 The time on the video monitor is 9:41 a.m.
22 Today's date is November 16th, 2012. Our location is
23 Golden State Reporting & Video, 3800 Watt Avenue, Suite
24 201, Sacramento, California.

25 This will be the deposition of DeAnne Spencer..

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EXAMINATION

BY MS. FETTERLY:

Q Ms. Spencer, would you please state your full name for the reporter, please.

A DeAnne Sue Spackman Spencer.

Q And where do you live?

A I live at -- my address?

Q Yes.

A It's 7 -- 7618 Lakewood Park Drive --

Q It's all right. It's okay.

A I'm sorry.

Sacramento, California 95828.

Q Thank you. Ms. Spencer, I recognize the subject matter of this deposition is very emotional to you. And, please, at any time if you feel you need a break, please let me know or the other attorneys if they happen to be questioning you.

Do you agree to that?

A I do.

Q Okay. And, again, I would emphasize that if you do feel you need a break, every effort will be made, of course, to accommodate that. Don't feel shy about that.

A Yes.

Q Is that agreed?

A Yes.

1 A My two children and I.

2 Q Okay. No one else?

3 A No. A babysitter that was there with them
4 during the day, but...

5 Q A female babysitter?

6 A Yes.

7 Q And were you working at this time?

8 A I was.

9 Q What were -- where were you working?

10 A I was working for --

11 THE REPORTER: I'm sorry. "I was working
12 for" --

13 THE WITNESS: New West Dialysis.

14 THE REPORTER: Thank you.

15 BY MS. FETTERLY:

16 Q And did any -- and directing your attention to
17 when you were coming home from work that day. Was there
18 any -- did anything unusual occur when you pulled up in
19 front of your house or entered your driveway?

20 A Yes. When I pulled into the driveway, there was
21 a tall, blond man standing there. And when I got out of
22 the car, he introduced himself as Pat Flood, and he said
23 "I'm from the Juvenile Division."

24 Q Take your time. Take your time.

25 A This is so --

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1 Q Take your time.

2 A "I'm from the Juvenile Division." And I
3 thought, "Oh, God. He's got custody." And then --

4 Q Who are you referring to when you say "he"?

5 A My ex-husband.

6 And then in the next breath, he said, "There's
7 been a report that your daughter has been molested. And
8 my partner and I have been here for two hours. We had
9 to make sure that your children were safe and not in any
10 imminent danger." And so I -- I started to collapse,
11 and he said, "You need to maintain. Your children are
12 watching out the door so you need to maintain" so I did.
13 He said, "We've been here for two hours. It's obvious
14 that they're not in any imminent danger. We're going to
15 redirect the investigation back up north."

16 Q Okay. Did you take that to mean that you were
17 even possibly a suspect in regard to these allegations?

18 A I did not believe it at that time.

19 Q You learned it later?

20 A Yes.

21 Q Okay. But was it clear, then, in your
22 communication with Detective Flood that he and his
23 partner didn't feel the children were in any way in
24 danger in your home?

25 A Yes. Correct.

1 Q Now, directing your attention to the next day,
2 August 30th, what happened on that date that you
3 remember specifically about these incident -- this
4 incident?

5 A I -- the company that I worked for, my boss, her
6 husband worked for the Child Abuse Council. And when I
7 called her to tell her what was happening, she said,
8 "We're going to need to get her an examination." So I
9 spoke with a social worker at my office and asked her
10 "How do I go about this? What do I do?" And she said,
11 "You make an appointment at U.C. Med Center." And I
12 said, "What do I tell my daughter?" And she says, "You
13 tell her" --- sorry. I thought I can handle this better.

14 Q Take your time.

15 A She said, "Tell her that her" -- "that you know
16 that her daddy's touched her in places daddies aren't
17 supposed to touch little girls," and you needed to make
18 sure she wasn't hurt.

19 Q And you knew that from what Detective Flood told
20 you her allegations were?

21 A Yes.

22 Q Were you -- how were you feeling about this
23 whole situation at this time?

24 A I -- for a while, I felt at a loss. I was
25 devastated, but I knew that first and foremost I had to

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1 make sure that my kids were --

2 MS. FETTERLY: Why don't we take a break. Let's
3 take a break.

4 THE VIDEOGRAPHER: Okay. We're going to go off
5 the record. It's 10:04 a.m.

6 (Brief recess.)

7 THE VIDEOGRAPHER: We're back on the record.
8 It's 10:09 a.m.

9 BY MS. FETTERLY:

10 Q Before we had a break, Ms. Spencer, we were
11 talking about the fact that you had arranged to have a
12 medical examination of Katie.

13 A That's correct.

14 Q And we've established that was on August 30th,
15 1984.

16 Where did that examination take place?

17 A It took place at U.C. Med Center in Sacramento.

18 Q And that is a Davis campus, I take it?

19 A Yes.

20 Q And did you -- as you were advised to by, you
21 said, a social worker. Did you have a discussion with
22 Katie at that time before the examination --

23 A I did.

24 Q -- as to what would happen at this examination?

25 A What I said to her was -- we were in the car,

1 and we were on our way, and she was looking at me, like,
2 you know, what's going on? And I said, "Well, we know
3 that daddy's touched in you places that daddies aren't
4 supposed to touch little girls. And we want to make
5 sure you're not hurt."

6 Q Okay. And what was her response?

7 A She curled into a ball, rolled to the side of
8 the door and began yelling, "Mommy, please don't let
9 them touch me there. Please don't let them touch me
10 there."

11 Q Did you proceed to the medical center, then?

12 A I did.

13 Q Okay. And who was present when -- when the
14 examination, at least attempted examination, took place?

15 A There was a female doctor, a female nurse, and a
16 female social worker and myself.

17 Q And what happened during this process? And you
18 were present the entire time; is that right?

19 A Yes.

20 Q So describe what happened during -- when you and
21 Katie and the medical staff were in the examination
22 room?

23 A They -- we took her shoes off and then the
24 doctor started to -- she was sitting on my lap. And the
25 doctor started to take her tights off, and she began

1 screaming and kicking and yelling. And none of us could
2 get them off of her.

3 Q Was there ever, on this occasion, a vaginal
4 examination done of your daughter on that date?

5 A No.

6 Q Okay. What type of examination, if any, was
7 done -- and this was while she was on your lap; is that
8 right?

9 A She was on my lap, yeah.

10 Q Was she ever on an examination table?

11 A No.

12 Q Okay. Were there any instruments inserted into
13 her?

14 A No.

15 Q Was the physician even able to probe into her
16 vaginal area?

17 A No.

18 Q Okay. So what was examined, if anything, during
19 this examination?

20 A Nothing.

21 Q And that was because --

22 A We couldn't -- she was hysterical. We could not
23 get her tights off. She still had her dress on. We
24 couldn't get her tights off.

25 Q Handing you what has been marked as Exhibit

1 Number 3, can you identify this document?

2 A Yes.

3 Q And what is it, to the best of your knowledge?

4 A It's the medical report from that visit, it
5 looks like.

6 Q It's a three-page document?

7 A Correct.

8 Q Would you agree that on the third page there's a
9 handwriting that says "No physical finding"?

10 A That's correct.

11 Q And how do you explain that particular finding?
12 Was that following an actual vaginal examination?

13 A No.

14 Q Okay. How would you explain the writing of
15 those conclusions?

16 A I can't explain it.

17 Q Could there possibly be no physical findings
18 because an actual examination was not done, an actual
19 pelvic examination was not done?

20 A That would be my assumption.

21 Q And then did you take Katie home that day after
22 the examination?

23 A Actually, the social worker -- I was told while
24 I was there that there's been an apparent trauma. You
25 need to get her into some sort of counseling or therapy.

1 therapist ever state to you, "I think she made these
2 allegations up"?

3 A No.

4 Q Did she ever state to you, "she" being the
5 therapist, "I don't think anything actually happened"?

6 A No.

7 Q Was it your understanding that the therapy she
8 was pursuing with Katie was that she had been -- in
9 fact, been improperly touched by her father?

10 A Yes.

11 Q Did -- and -- in the same time period, did you
12 notice any unusual behavior on Katie's part that may or
13 may not, based on your understanding of child
14 development, have been consistent or inconsistent with
15 physical sexual abuse?

16 A At times I felt uncomfortable of some of her
17 behaviors, especially around, oh, like her uncles --
18 it's so long ago.

19 Q I know.

20 A But I just -- I can't put my finger on it. I
21 was just uncomfortable.

22 Q Okay. Did you ever observe her to rub her
23 genital area in this time frame?

24 A Yes; but I didn't think anything of it.

25 Q Did she ever ask you to apply medicine to her

1 genital area in this time frame?

2 A Yes.

3 Q Okay. Had you ever done that in the past?

4 A She had a sore like on the top of the vaginal
5 area, not inside, but on the top. And when I took her
6 to the doctor, he said it was a viral infection. And he
7 gave me medication to put on.

8 Q And how -- when did this occur in relation to
9 the fall of 1984 time frame? Was it in the same time
10 frame, or was that earlier?

11 A I'm sorry. I don't remember.

12 Q Okay. Do you think it was before, possibly?

13 A Yeah, I do believe it was before.

14 Q Okay. Did you notice anything unusual about the
15 nightgown Katie brought back from her visits with her
16 father in the summer of 1984?

17 A It just seemed to be worn, you know. A little
18 strangely -- I mean worn -- worn out.

19 Q Can you be more specific? Was it fraying at the
20 sides or any particular place or --

21 A More of in the area of where she might have had
22 her underwear.

23 Q Go ahead. Take a break.

24 A Okay.

25 Q And your response was more in her underwear

1 area?

2 A Yeah. Yes.

3 Q And what particularly did you notice about that
4 nightgown in that regard?

5 A I just remember it said "Daddy's Little
6 Princess" on it. It made me very uncomfortable. I
7 can't tell you why.

8 Q Okay. What did you do with that nightgown?

9 A I threw it away.

10 Q Was that after the allegations of abuse had
11 been -- had surfaced?

12 A Yes.

13 Q Did you learn at some point that you were
14 actually a suspect; that your former husband was telling
15 authorities up in Clark County that it was actually you
16 or possibly a man in your home that was abusing Katie?

17 A Yes.

18 Q Okay. And when, approximately, did you learn
19 about that?

20 A It was -- it was not long after Pat Flood had
21 come over. I mean, it was within that few-months time
22 period. I don't remember exactly when.

23 Q And at that time, were there any men living in
24 your household?

25 A No.

1 A My understanding was it was -- I don't know if
2 you call it conclusive. I was telling the truth.

3 Q So you were then ruled out as a suspect totally?

4 A Correct.

5 Q Now, once you were ruled out as a suspect, do
6 you -- based on what Shirley Spencer wrote in this
7 seven-page document, would you have wanted the
8 investigation to just stop?

9 A Absolutely not.

10 Q And why is that?

11 A It -- with what I was experiencing with my
12 children and with their behaviors and with the
13 information that I had, I wanted to make sure that this
14 didn't happen again to them.

15 Q And there was an investigation pursued that you
16 participated in as a witness, was there not? An
17 investigation by the Clark County Sheriff's Office?

18 A Correct.

19 Q And do you recognize the name Sharon Krause?

20 A I do.

21 Q And who is Sharon Krause?

22 A She was the detective handling the case.

23 Q For Clark County, Washington?

24 A Correct.

25 Q And when -- do you recall first -- we know she

1 came down from records -- came down and met with you and
2 your children on -- October 15th, I believe, was the
3 date she arrived in Sacramento.

4 Do you recall her coming, in that time frame, to
5 Sacramento?

6 A I do.

7 Q Now, before that, did you have any telephone
8 conversations with Detective Krause?

9 A I think there were a couple.

10 Q Did she ask you some questions about your
11 marriage to Ray in those conversations?

12 A She did.

13 Q Did she ask you some questions about any
14 infidelities that happened during the time of that
15 marriage?

16 A She did.

17 Q Did she ask you about a woman named Rhonda
18 Short?

19 A She did.

20 Q Okay. And who is Rhonda Short?

21 A Rhonda was a next-door neighbor when we lived in
22 L.A.

23 Q And how old was Rhonda when you lived next door
24 to her?

25 A We were there for six years. So when we left,

1 she was about 17.

2 Q She was a minor?

3 A Correct.

4 Q Okay. Was she in high school?

5 A Correct.

6 Q And how would you describe, based on your
7 recollection of Ms. Short, her mental capacity? Was
8 she -- and, again, based on your academic training and
9 work experience with children and adolescents, do you
10 recall her mental capacity as being that of, say, the
11 average 17-year-old adolescent female?

12 MS. ZELLNER: Objection. She's not testifying
13 as an expert.

14 MS. FETTERLY: You can answer, if you can.

15 THE WITNESS: I can't -- I can't attest to her
16 mental ability. But in my observation, she was
17 emotionally about 14.

18 BY MS. FETTERLY:

19 Q Would you describe her as somewhat of a
20 vulnerable young lady?

21 A Yes.

22 Q Okay. And what did you tell Sharon Krause just
23 about Rhonda Short?

24 A I told her about an incident where Rhonda had
25 accused Ray of raping her.

1 Q And this conversation about Rhonda Short and
2 some other things took place with Sharon Krause before
3 she came to Sacramento?

4 A Correct.

5 Q Okay. And we've -- you've testified that you
6 recall Ms. Krause coming to Sacramento on or about
7 October 15th or 16th of 1984?

8 A Correct.

9 Q And was this prearranged that she would come
10 down to meet with you?

11 A Yes.

12 Q Was she also going to meet with your children?

13 A Yes.

14 Q Did you explain anything about the fact that she
15 would be coming to your children?

16 A I don't recall.

17 Q Okay. Did she come to your home?

18 A She did. She met me at my home, and we drove
19 over to my mother's house to pick up my kids and come
20 back to my house.

21 Q And what was your impression on first meeting
22 her when she came to your home? Records document that
23 this was on October 16th, 1984. Does that sound
24 accurate to you?

25 A Yes.

1 A I again laughed and said, "I wish I had as much
2 fun as he said I did."

3 Q Were you -- did you socialize with what would be
4 thought of as a biker crowd?

5 A No, I did not.

6 Q Did you even ride a motorcycle?

7 A The last time I rode a motorcycle was the day
8 before I found out I was pregnant with my daughter and
9 that was on our motorcycle that he had.

10 Q That Ray owned?

11 A Yes.

12 Q And then were there any other matters discussed
13 with Detective Halls on this occasion? And specifically
14 was there a discussion about Rhonda Short?

15 A Yes. He told me that he had gone to L.A. and
16 visited with her. And he said when he -- when he
17 interviewed her, she told him the story and his comment
18 was, it was -- she told it as though it had happened the
19 day before.

20 Q Meaning it was very fresh in her mind?

21 A Correct.

22 Q And how long before 19- -- November of 1984 had
23 the incident between your -- your former husband and
24 Rhonda Short occurred?

25 A About six years.

1 Q Okay. And what did he convey to you was Rhonda
2 Short's version of what happened between her and your
3 former husband?

4 A That she had been raped by Ray.

5 Q She did not have what could be described as
6 consensual sexual relations with Ray?

7 A No.

8 Q Okay. And at the time this -- the sexual
9 activity between Rhonda Short and Ray had occurred,
10 would she have been legally capable of consenting to
11 sexual relations, to your knowledge?

12 A If 17 is legal, then yes. If 17 is not, then
13 no.

14 Q Okay. But she was underage; was that --

15 A Correct.

16 Q -- your specific recollection?

17 A Yes.

18 Q Okay. Did Detective Halls discuss anything else
19 with you?

20 A Not that I recall.

21 Q Okay. Is it possible he discussed anything that
22 occurred while Ray was working undercover for the
23 Vancouver Police Department?

24 A I don't remember.

25 Q Is that -- is it you don't remember. It's

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1 Q Okay. Were you present the entire time that she
2 was with Mr. Peters for that interview?

3 A Yes.

4 Q Okay. Where did the interview start out?

5 A It was in a room in the police department, I
6 believe, with a video camera. And Jim, myself. I think
7 Sharon was there for a few minutes, and then she left.
8 And then there was a police officer at the video camera.

9 Q Was he uniformed?

10 A He was.

11 Q Okay. And what do you remember about that part
12 of the interview where it was being filmed by a
13 uniformed officer?

14 A I just remember Katie sitting on my lap.

15 Q Okay. Did -- at any point during that
16 interview, did you feel that Jim Peters intimidated her?

17 A I do not.

18 Q If he had, what would you have done?

19 A I would have left the room with her.

20 Q You wouldn't have allowed him to continue?

21 A Absolutely not.

22 Q And as I understand it, you were with her the
23 entire time that Mr. Peters spoke with her --

24 A I was.

25 Q -- is that right?

1 Now, was there a break where the tape was turned
2 off and the three of you moved to another location for
3 the rest of the interview?

4 A I believe we did go to another room.

5 Q Okay. When that interview resumed, was the
6 uniformed officer still there operating the camera?

7 A No.

8 Q At any time during that break, did Mr. Peters
9 coach her with what he wanted her to say when the tape
10 was turned back on again?

11 A Not in my presence.

12 Q Okay. Was she in your presence the entire time?

13 A Correct.

14 Q Can we conclude from that that he did not, then,
15 coach her --

16 A Correct.

17 Q -- at any time during that day?

18 What about you? Did you coach her --

19 A I did not.

20 Q -- as to what to say?

21 A I did not.

22 Q Did he say -- ever say "If you tell me" -- words
23 to the effect that "If you tell me what I want to hear
24 or show me with the dolls what I want to be shown" --
25 and there were dolls used, correct?

1 A Correct.

2 Q -- "then you can go home" --

3 A No.

4 Q -- "you can leave"?

5 If he had pressured her, coached her, what would
6 you have done?

7 A I would have walked out of the room with her.

8 Q And then we know that -- that you and Katie and
9 he went back on tape?

10 A Correct.

11 Q And do you recall her demeanor changing at all?

12 A She was much more at ease, much more
13 comfortable, little playful.

14 Q What do you attribute that to, given the fact
15 that she wasn't comfortable in the earlier session?

16 A The only thing I could think of was the police
17 officer was no longer in the room.

18 Q Because he wasn't there operating the tape?

19 A Correct.

20 Q I'm going to hand you what has been marked as
21 Exhibit 26, which is a purported transcript of that
22 interview.

23 Can you take a look at that, please.

24 MR. FREIMUND: Ms. Fetterly, given that's a
25 lengthy transcript, do you want to take a break while

1 she's reviewing it?

2 MS. FETTERLY: I think that's a good idea.

3 Is that agreeable, Ms. Zellner?

4 MS. ZELLNER: That's fine.

5 THE VIDEOGRAPHER: Okay. We're going to go off
6 the record. It's 10:57 a.m.

7 (Brief recess.)

8 THE VIDEOGRAPHER: Okay. We're back on the
9 record. It's 11:10 a.m.

10 BY MS. FETTERLY:

11 Q Ms. Spencer, referring, again, to the interview
12 that took place in your presence of your daughter by Jim
13 Peters on December 11th, 1984.

14 Were -- in your recollection, were -- as being
15 present throughout the entire interview, were any of
16 Katie's responses non-verbal such as the shake of the
17 head no or a shake of the head yes?

18 A Many of them. Excuse me. Many of them.

19 Q In fact, were the majority of her responses
20 non-verbal?

21 A That's correct.

22 Q Were there also non-verbal responses where in
23 response to questioning she would place the dolls in one
24 position or another?

25 A She did at one point.

1 three of us.

2 Q Okay. Did you feel Mr. Peters was intimidating
3 her at any point during that interview?

4 A No.

5 Q And that would be in the first part where he's
6 sitting in a chair and she's -- you're in a chair and
7 he's on your lap -- or she's on your lap; is that
8 correct?

9 A Yes.

10 Q And what about the second part of the interview
11 when the three of you were on the floor? Did you
12 believe he was intimidating her?

13 A No.

14 Q And if you had felt that at any point he was
15 intimidating her, what would you have done?

16 A I would have left the room with her.

17 Q I want to now move forward to the time frame
18 March of 1985. Records document that Sharon Krause
19 interviewed Katie and interviewed Matt -- interviewed
20 them separately on March 25th, 1985.

21 Do you recall why those interviews had been
22 scheduled?

23 A I don't know. Excuse me. No, I don't recall
24 the date.

25 Q And you don't recall the reason those were being

1 scheduled?

2 A My recollection of timeline is, you know -- is
3 skewed. I can -- I remember a couple of incidents,
4 but --

5 Q Let me just ask this: By this time, by March of
6 1985, had there been some allegations, information
7 conveyed to you that Matt Hanson, Shirley's Spencer son,
8 had accused Ray Spencer of sexual abuse?

9 A Yes.

10 Q Do you think that could have prompted -- the new
11 allegations could have prompted these new interviews by
12 Detective Krause in March of 1985?

13 A Yes. That's one of the memories I have of that
14 particular incident. I just didn't have the date.

15 Q Okay. And if the record showed that Matt Hanson
16 made disclosure mid to late February and into early
17 March of 1985, that would make sense why Sharon Krause
18 was interviewing your children again on March 25th,
19 1985?

20 A Correct.

21 Q Okay. And -- on this occasion, how did the
22 children get to Vancouver? You talked about being flown
23 up in December, but you and Katie were flown by Clark
24 County when she was interviewed by Jim Peters.

25 Do you recall how the three of you, meaning

1 A Yes.

2 Q And, now, directing your attention to the
3 following months, now going into May.

4 Was it your understanding that the case against
5 your former husband had been amended to include
6 allegations that he had abused his stepson, Matt Hansen,
7 as well as your son --

8 A Correct.

9 Q -- Matt?

10 A That's correct.

11 Q Okay. And I want to direct your attention to
12 the day before May 9th, 1985. Did Matt make any
13 statements to you that you found unusual?

14 A He did.

15 Q Your son, Matt, now, I'm talking about.

16 A Yes. Yes, he did.

17 Q What were the circumstances when he made the
18 statement to you the day before May 9th of 1985?

19 A It was the day before Jim Rule and Jim Peters
20 were coming to Sacramento to meet with the children in
21 preparation for trial, which was supposed to be two
22 weeks later, I believe.

23 Q Who is Jim Rule?

24 A I believe he was Ray's attorney.

25 Q Okay. So you knew they were coming?

1 A Yes.

2 Q Okay.

3 A And it was -- we were meeting with them the next
4 day. But that night --

5 Q Take your --

6 A -- I was at my aunt's house. And she has a hot
7 tub outside, but I was inside talking with her. And
8 Matthew kept coming in saying, "Mommy, Mommy. Come out
9 to the tub. Come out to the hot tub." And I kept
10 telling him "I will."

11 Q You were thinking he just wanted you to come out
12 and see him in the hot tub?

13 A And I was trying to have a conversation with my
14 aunt. So he was so persistent that I finally said,
15 "Okay." It was about 30 minutes later. "Okay. I'm
16 coming." I went out -- the minute I got into the tub,
17 he says, "Mommy, some of daddy's friends did that, too."
18 And I said, "That's very brave of you to be able to say
19 that. Can you tell me who they were?"

20 "No. Ask little Matt. Ask little Matt." I
21 said, "Okay." I asked -- I think I asked him a couple
22 of other questions, but his response was "Ask little
23 Matt. Ask little Matt."

24 Q And what did you think when Matt -- your son,
25 Matthew, made the statement to you -- which appears to

1 be totally spontaneous?

2 A Yeah.

3 Q Was it in response to questions from anybody?

4 A No.

5 Q And the last time he'd been questioned by
6 anybody about this had been six weeks earlier when he
7 spoke with Sharon Krause; is that right?

8 A Correct.

9 Q What did you take of these comments?

10 A I, again, was devastated and just -- I believed
11 him. And I actually didn't know what to do with it. I
12 was very thankful that I had a therapist because that's
13 who I was able to contact and --- I'm sorry.

14 Q Go ahead. Take your time. Do you need to have
15 some water or --

16 A No. I'm okay. Thank you.

17 Q Now, you said the next day your children were
18 scheduled to be interviewed by Mr. Rule; is that
19 correct?

20 A Mr. Rule and Mr. Peters.

21 Q And was this the only occasion that Mr. Peters
22 interviewed your son, Matthew?

23 A That I recall, yes.

24 Q You don't recall any interview similar to the
25 one he did with Katie where he was alone with him. It

1 was possibly just you present?

2 A No.

3 Q And where did the interviews take place on May
4 9th, 1985?

5 A It was here in Sacramento. I believe it was at
6 Juvenile -- the Juvenile Division. Somewhere there.

7 Q And did you drive your children to that
8 appointed time --

9 A I did.

10 Q -- at the appointed time?

11 And did you meet -- you already knew Mr. Peters,
12 I take it? You met him when you were in Vancouver with
13 Katie in December?

14 A Correct.

15 Q Is that the only time before May 9th that you'd
16 met Mr. Peters --

17 A Correct.

18 Q -- or had any communication with him whatsoever?

19 A Correct.

20 Q And had you ever met Mr. Rule before?

21 A No.

22 Q But I take it you knew who he was?

23 A Yes.

24 Q Okay. And did you feel -- you understood that
25 in order to defend his client, meaning -- his client

1 then being Ray Spencer, that Mr. Rule had asked to
2 interview your children --

3 A Yes.

4 Q -- is that correct?

5 Did you give him permission to interview your
6 children?

7 A I did.

8 Q Okay. And did you ask that the prosecutor be
9 present as well?

10 A Yes.

11 Q And that request was honored?

12 A Yes.

13 Q Did you attend the interviews with the two
14 lawyers and your children?

15 A I believe they were in a room with a glass
16 window, and I was seated outside in the waiting area.

17 Q And do you remember either of your children
18 expressing any hesitation about speaking to their
19 father's lawyer and to Mr. Peters on this occasion?

20 A No.

21 Q Okay. When -- after you were -- met Mr. Peters
22 again --

23 And I take it you had to be introduced for the
24 first time to Mr. Rule?

25 A Correct.

1 Q -- was that presumably done by Mr. Peters, that
2 introduction?

3 A Yes.

4 Q Did you say anything about what Matt had stated
5 to you in the hot tub, the prior evening?

6 A I did.

7 Q And were your children present when you made
8 this statement?

9 A Yes.

10 Q Okay. What did you say?

11 A I just said that I had some good news and some
12 bad news. And then I told them that Matthew told me
13 that several of his dad's friends had done that, too.

14 Q And by "done that," what were you referring to?

15 A Had had inappropriate relations or had -- had
16 messed with him.

17 Q Had sexual contact?

18 A Yes.

19 Q Okay. In other words, not just touching them in
20 a physical manner but touching them improper --

21 A In a sexual manner, yes.

22 Q In a sexual manner.

23 And what did you mean by you said you had some
24 good news and some bad news. Why did you use that
25 phrase?

1 A Well, I guess it would be good news for the
2 prosecutor and bad news for the defense attorney.

3 Q Then did the interviews take place with your
4 children?

5 A Yes.

6 Q Were they done separately?

7 A Yes.

8 Q And other than watching through the glass, you
9 didn't participate, I take it?

10 A No.

11 Q Okay. And when they came out of the interview
12 room, first of all, Matt, did he say anything to you
13 about the interview?

14 A I don't recall.

15 Q Did he say anything to you that he felt
16 pressured by Jim Peters?

17 A No.

18 Q And in observing the interviews through the
19 glass, if you'd seen something that made you
20 uncomfortable, that either lawyer was pressuring either
21 of your children, what would you have done?

22 A I would gone in and taken them out.

23 Q They were interviewing them with your consent, I
24 take it?

25 A Correct.

1 Q Okay. And then after the lawyers left and went
2 back to Washington, what was the next thing you heard
3 about the case?

4 A I recall that we were -- we went up there one
5 more time in preparation for trial. And at some point
6 prior to that, we were told that there wouldn't be a
7 trial. He had pled guilty.

8 Q Meaning you were planning to go back up?

9 A Yes, we were planning -- because that was two
10 weeks before trial.

11 Q The interview on May 9th was?

12 A Yes.

13 Q But I take it you didn't actually end up going
14 back for more trial prep -- preparation?

15 A No. We were actually going up for trial.

16 Q For trial?

17 A That didn't take place.

18 Q Okay. And do you know why the trial didn't take
19 place?

20 A I was told because he pled guilty.

21 Q And how long -- approximately how long after the
22 May 9th interview with Mr. Rule and Mr. Peters did you
23 learn that Ray Spencer was pleading guilty?

24 A It seems like it was within a couple of weeks.

25 Q Okay. Fairly short time?